IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.2073 OF 2004

Hemant Chandrakant Desai ...Petitioner
Vs.
Smt. Sonali Hemant Desai & Anr. ...Respondents

Ms Indrayani Koparkar for the Petitioner.
Shri Girish B. Badigar for the Respondent No.1.
Ms M.M. Deshmukh, A.P.P. for the State.

CORAM : A. S. OKA, J.
DATE : OCTOBER 19, 2005.

P.C.:

1. Rule. The learned A.P.P. waives service for the Respondent No.2 and the Advocate apperaing for the Respondent No.1 waives service. Considering the facts and circumstances of the case, taken up for hearing forthwith.

2. The Advocates appearing for the Petitioner and the Respodent No.1 have filed the consent terms. They have stated that the Petitioner and the Respondent No.1 signed the consent terms and both of them are present in the Court. It is stated that both of them have accepted the compromise incorporated in the consent terms. The consent terms are marked ‘X’ and taken on record.

3. Hence, I pass the following order:

: O R D E R :

i) The Criminal WRit Petition is disposed of in terms of the consent terms filed by the parties.

ii) Rule is made partly absolute in terms of the consent terms.

iii) The office of this court will permit the Respondent NO.1 to withdraw a sum of Rs.50,000/- deposited by the Petitioner in this Court on 07th June, 2005. The Respondent No.1 is also entitled to withdraw a sum of Rs.3,000/- deposited by the Petitioner in this Court on 22nd December, 2004.

iv) Parties to act upon an authenticated copy of this order.

JUDGE